

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

McKENNA DUFFY and MICHAEL BRETT,
individually and on behalf of all others similarly
situated,

Plaintiff,

v.

YARDI SYSTEMS, INC., BRIDGE
PROPERTY MANAGEMENT, L.C.,
CALIBRATE PROPERTY MANAGEMENT
LLC, DALTON MANAGEMENT, INC., HNN
ASSOCIATES, LLC, LEFEVER MATTSON,
MANCO ABBOTT, INC., MORGUARD
CORPORATION, R.D. MERRILL REAL
ESTATE HOLDINGS, LLC, SUMMIT
MANAGEMENT SERVICES, INC., and
CREEKWOOD PROPERTY CORPORATION,

Defendants.

Case No. 2:23-cv-01391-RSL

**STIPULATED MOTION TO
SUBSTITUTE PARTY AND CHANGE
CASE CAPTION AND [ORDER**

STIPULATION

Pursuant to Local Rules 7(d)(1) and 10(g), Plaintiff McKenna Duffy and Defendant Morguard Corporation, by and through their respective counsel, hereby stipulate as follows:

1. WHEREAS, Plaintiff McKenna Duffy (“Plaintiff”) filed the above-captioned action against Defendant Morguard Corporation on September 8, 2023 (the “Complaint”);

2. WHEREAS, Morguard Coporation was misnamed as a Defendant in this action, as Morguard Corporation is a Canadian corporation that does not operate in the United Sates;

3. WHEREAS, Morguard Management Company Inc. is a subsidiary of Morguard Corporation with management authority for all of the company’s US-owned real estate;

1 4. WHEREAS, the parties have met and conferred and agree to substitute Morguard
2 Management Company Inc. as the Defendant in this action.

3 **IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiff and Morguard
4 Management Company Inc. that:

5 Morguard Corporation shall be voluntarily dismissed as a defendant in this action;

6 The Complaint in this action shall be deemed amended to substitute “Morguard Management
7 Company Inc.” for “Morguard Corporation”;

8 Defendant “Morguard Corporation” shall be terminated from the docket and replaced with
9 “Morguard Management Company Inc.” The case caption and docket shall be amended to reflect the
10 substitution;

11 Notwithstanding the foregoing, nothing in this Stipulation shall operate to extend Defendant
12 Morguard Management Company Inc.’s time to move, answer, or otherwise plead in response to the
13 Complaint in this action. The deadlines for such motion, answer, or other pleading shall be as set forth
14 in the Court’s November 9, 2023 Order re: Motion to Dismiss Briefing Schedule [DKT 118], or any
15 subsequent order of the Court amending these deadlines. The parties’ entry into this Stipulation does
16 not constitute a waiver of any jurisdictional defenses that may be available under Rule 12 of the
17 Federal Rules of Civil Procedure, including personal jurisdiction, or a waiver of any defenses under
18 Rule 8 of the Federal Rules of Civil Procedure, or a waiver of any statutory or common law defenses
19 that may be available to any defendant in this action. Defendant Morguard Management Company
20 Inc. expressly reserves all rights and defenses with respect to the Complaint.
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DATED this 27th day of November, 2023.

BRADLEY BERNSTEIN SANDS LLP

/s/ Heidi B. Bradley

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Morguard Management Company Inc*

**HAGENS BERMAN SOBOL SHAPIRO
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/s/ Steve W. Berman

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/s/ Theodore Wojcik

Theodore Wojcik (WSBA No. 55553)

/s/ Stephanie A. Verdoia

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Attorneys for Plaintiff

ORDER

IT IS SO ORDERED.

DATED this 28th day of November, 2023.

A handwritten signature in black ink, appearing to read "Mr S Lasnik", written over a horizontal line.

THE HONORABLE ROBERT S. LASNIK
United States District Judge